

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NORTHERN STATES POWER
COMPANY,

Plaintiff,

v.

THE CITY OF ASHLAND,
WISCONSIN, AND ASHLAND
COUNTY, WISCONSIN,

Defendants.

JUDGMENT IN A CIVIL CASE

Case No. 12-cv-602-bbc

This action came before the court for consideration with District Judge Barbara B. Crabb presiding. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that judgment is entered in favor of defendant Ashland County. Defendant Ashland County is not a "covered person" under CERCLA and Plaintiff Northern States Power Company's suit is DISMISSED against this defendant.

Defendant City of Ashland is liable for response costs only as a "covered person" under 42 U.S.C. § 9607(a)(1); and defendant City is allocated \$0 for response costs already incurred by plaintiff in remediating the Ashland Superfund site.

FURTHER, IT IS DECLARED that liability for all future response costs incurred at the Ashland Superfund site in any phase of the remediation of the site that are either:

- (1) prescribed by settlement, agreement, court order or consent decree with the United States or with any other entity with regulatory authority over the Site; or
- (2) "necessary" and "consistent with the national contingency plan," within the meaning of § 9607(a)(4)(B)

are to be allocated 100% to plaintiff and 0% to defendant City.

Approved as to form this 11th day of September, 2015.

Barbara B. Crabb
Barbara B. Crabb, U.S. District Judge

Peter Oppeneer
Peter Oppeneer, Clerk of Court

9/15/15
Date